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FILED

JUL 29 2008 Lcw  
JUL 29 2008  
MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

MICHAEL ANTHONY NELSON,

PLAINTIFF

08cv4285  
JUDGE SHADUR  
MAG. JUDGE NOLAN

v.

HARRIS TRUST AND SAVINGS BANK, N.A.

HARRIS, NA

DAVID J. CRAWFORD

MARY BIRON

HORACIO J. ISALS

GLORIA BATES

BRANCH MANAGER AT HARRIS TRUST AND SAVINGS BANK, CIREO, N.A.


UNKNOWN OWNERS + SHAREHOLDERS OF HARRIS TRUST AND SAVINGS BANK, N.A.

DEFENDANT(S)

IFP PETITION

I SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT, BECAUSE OF MY POVERTY, I

PETITION THIS COURT FOR LEAVE TO PROCEED IN FORMA PAUPERIS, WITHOUT PREPAYMENT OF PRESCRIBED FEES. I ATTACH THE FINANCIAL AFFIDAVIT AND SWEAR OR AFFIRM UNDER PENALTY OF PERJURY UNDER UNITED STATES LAWS THAT MY ANSWERS ARE TRUE AND CORRECT (28 U.S.C. 1746; 18 U.S.C. 1621.)

Signed:  Michael A. Nelson, Plaintiff  
Dated: July 19, 2008

1-4.) I AM A PRISONER, CURRENTLY IN THE CUSTODY OF THE JEROME COMBS DETENTION CENTER ("JCDC") IN KANKAKEE, ILLINOIS LOCATED AT 3050 JUSTICE WAY, KANKAKEE, ILLINOIS, 60901. I HAVE BEEN IN CUSTODY OF JCDC SINCE OCTOBER 18, 2007. PREVIOUSLY BEFORE BEING IN THE CUSTODY OF JCDC I WAS IN THE CUSTODY OF THE METROPOLITAN CORRECTIONAL CENTER IN CHICAGO, ILLINOIS FROM MAY 3, 2006 UNTIL MY TRANSFER TO JCDC ON OCTOBER 18, 2007

I HAVE ATTACHED THE LAST SIX MONTHS OF MY INSTITUTIONAL ACCOUNT AT JCDC, WHICH IS A CERTIFIED STATEMENT FROM JCDC WHICH HAS BEEN NOTARIZED BY GLORIA LOCHNER, BUSINESS OFFICER MANAGER FOR JCDC. WHICH SHOWS ALL RECEIPTS, EXPENDITURES, AND BALANCES DURING THE LAST SIX MONTHS IN MY INSTITUTIONAL ACCOUNT AT JCDC.

5) REGARDING ASSETS, AND THEIR VALUES, WHICH I OWN OR SPOUSE OWNS. I DO NOT HAVE ANY ASSETS, NOR DO I HAVE A SPOUSE. ALSO ENCLOSED PAGES FROM MY PRESENTENCE INVESTIGATION REPORT IN A CRIMINAL CASE PREPARED ON DECEMBER 27, 2007 BY KELLY KUONO, UNITED STATES PROBATION OFFICER IN CRIMINAL CASE NO. 06 CR 5. WHICH WAS


APPROVED AND VERIFIED BY E. J. TOLLE, SUPERVISING UNITED STATES PROBATION OFFICER FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION (GROUP EXHIBIT 9). GROUP EXHIBIT 1 ALSO SHOWS MY EMPLOYMENT RECORD FROM 1992 TO APRIL 19, 2006, THE DAY OF ~~MY~~ MY ARREST AND PLACEMENT INTO CUSTODY OF THE UNITED STATES MARSHAL SERVICE.

6.) I DO NOT EXPECT ANY MAJOR CHANGES TO MY MONTHLY INCOME OR ASSETS WITHIN THE NEXT 12 MONTHS. BECAUSE THE PLAINTIFF SUFFERS FROM A TERMINAL MEDICAL CONDITION, CHANGES IN MY MONTHLY EXPENSES DO INCREASE OFTEN WHICH IS SHOWN BY THE NEGATIVE ACCOUNT BALANCES PREVIOUSLY IN MY JLOC COMMISSARY ACCOUNT. OFTEN MY COMMISSARY BALANCES WILL BE IN THE NEGATIVE FOR PAYMENT OF DOCTOR VISITS AND MEDICATION.

7.) I HAVE NOT PAID, NOR WILL BE PAYING AN ATTORNEY ANY MONEY FOR SERVICES IN CONNECTION WITH THIS CIVIL CASE, INCLUDING THE COMPLETION OF THIS MOTION. I HAVE NOT PAID, NOR WILL BE PAYING ANYONE (SUCH AS AN ATTORNEY, PARALEGAL, OR A TYPIST) ANY MONEY FOR SERVICES IN CONNECTION WITH THIS CIVIL CASE, INCLUDING THE COMPLETION OF THIS MOTION.

8.) THE ADDRESS OF MY LEGAL RESIDENCE IS: 908 ROSEMAN COURT, ORLANDO, FLORIDA 32811.

I ATTACH THIS FINANCIAL AFFIDAVIT AND SWEAR OR AFFIRM UNDER PENALTY OF PERJURY UNDER ~~THE~~ UNITED STATE LAWS THAT MY ANSWERS ARE TRUE AND CORRECT (28 U.S.C. 1746; 18 U.S.C. 1621.)

Signed:  Michael A. Nelson  
July 19, 2008

# Resident Transaction Details

Transactions From 1/15/2008 To 7/15/2008

398001 : NELSON, MICHAEL A  
FLEX C

Main Balance: \$279.09

| Receipt | Date      | Type    | Bill<br>Amount | Bill<br>Collect | Comment                                   | Adjust   | Release<br>Balance |
|---------|-----------|---------|----------------|-----------------|---|----------|--------------------|
| 428192  | 7/14/2008 | Add     |                |                 | Check# 2217593<br>CC PYMT JD              | \$200.00 | \$279.09           |
| 428102  | 7/14/2008 | BillPay |                |                 | PAYMENT FOR TRANS 428101                  | -\$5.00  | \$79.09            |
| 428101  | 7/14/2008 | Bill    | \$5.00         | \$5.00          | Over the Counter Drugs : 3                |          | \$79.09            |
| 427811  | 7/11/2008 | BillPay |                |                 | PAYMENT FOR TRANS 427810                  | -\$2.52  | \$84.09            |
| 427810  | 7/11/2008 | Bill    | \$2.52         | \$2.52          | postage : POSTAGE FOR 2 ENVELOPES         |          | \$84.09            |
| 427404  | 7/10/2008 | BillPay |                |                 | PAYMENT FOR TRANS 427403                  | -\$31.75 | \$86.61            |
| 427403  | 7/10/2008 | Bill    | \$31.75        | \$31.75         | Commissary : COMMISSARY 7/10/2008 REF:978 |          | \$86.61            |
| 426957  | 7/10/2008 | BillPay |                |                 | PAYMENT FOR TRANS 426956                  | -\$1.68  | \$118.36           |
| 426956  | 7/10/2008 | Bill    | \$1.68         | \$1.68          | postage : 3                               |          | \$118.36           |
| 426955  | 7/10/2008 | BillPay |                |                 | PAYMENT FOR TRANS 426954                  | -\$1.26  | \$120.04           |
| 426954  | 7/10/2008 | Bill    | \$1.26         | \$1.26          | postage : 3                               |          | \$120.04           |
| 426953  | 7/10/2008 | BillPay |                |                 | PAYMENT FOR TRANS 426952                  | -\$1.26  | \$121.30           |
| 426952  | 7/10/2008 | Bill    | \$1.26         | \$1.26          | postage : 3                               |          | \$121.30           |
| 426794  | 7/10/2008 | BillPay |                |                 | PAYMENT FOR TRANS 426793                  | -\$1.26  | \$122.56           |
| 426793  | 7/10/2008 | Bill    | \$1.26         | \$1.26          | postage : 3                               |          | \$122.56           |

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Confidential Property of Kankakee

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## Resident Transaction Details

| Receipt | Date      | Type    | Bill<br>Amount | Bill<br>Collect | Comment                                   | Adjust   | Release<br>Balance |
|---------|-----------|---------|----------------|-----------------|---|----------|--------------------|
| 425679  | 7/7/2008  | BillPay |                |                 | PAYMENT FOR TRANS 425678                  |          |                    |
| 425678  | 7/7/2008  | Bill    | \$1.98         | \$1.98          | postage : 3                               | -\$1.98  | \$123.82           |
| 423578  | 7/1/2008  | BillPay |                |                 | PAYMENT FOR TRANS 423577                  |          |                    |
| 423577  | 7/1/2008  | Bill    | \$1.68         | \$1.68          | postage : 3                               | -\$1.68  | \$125.80           |
| 423348  | 6/30/2008 | BillPay |                |                 | PAYMENT FOR TRANS 423347                  |          |                    |
| 423347  | 6/30/2008 | Bill    | \$1.68         | \$1.68          | postage : 3                               | -\$1.68  | \$127.48           |
| 423346  | 6/30/2008 | BillPay |                |                 | PAYMENT FOR TRANS 423345                  |          |                    |
| 423345  | 6/30/2008 | Bill    | \$1.68         | \$1.68          | postage : 3                               | -\$1.68  | \$129.16           |
| 423178  | 6/30/2008 | Add     |                |                 | Check# 2177070<br>CC PYMT BN              | \$75.00  | \$129.16           |
|         |           |         |                |                 |   |          | \$130.84           |
| 422618  | 6/26/2008 | BillPay |                |                 | PAYMENT FOR TRANS 422617                  |          |                    |
| 422617  | 6/26/2008 | Bill    | \$50.12        | \$50.12         | Commissary : COMMISSARY 6/26/2008 REF:968 | -\$50.12 | \$55.84            |
| 420621  | 6/20/2008 | BillPay |                |                 | PAYMENT FOR TRANS 420620                  |          |                    |
| 420620  | 6/20/2008 | Bill    | \$2.11         | \$2.11          | postage : 3                               | -\$2.11  | \$105.96           |
| 420225  | 6/19/2008 | BillPay |                |                 | PAYMENT FOR TRANS 420224                  |          |                    |
| 420224  | 6/19/2008 | Bill    | \$10.00        | \$10.00         | Phone Card : 3                            | -\$10.00 | \$105.96           |
| 420000  | 6/19/2008 | BillPay |                |                 | PAYMENT FOR TRANS 419999                  |          |                    |
| 419999  | 6/19/2008 | Bill    | \$51.65        | \$51.65         | Commissary : COMMISSARY 6/19/2008 REF:958 | -\$51.65 | \$108.07           |
| 419175  | 6/19/2008 | Add     |                |                 | MO# F402871<br>TH                         | \$20.00  | \$108.07           |
|         |           |         |                |                 |   |          | \$118.07           |
|         |           |         |                |                 |   |          | \$118.07           |
| 419008  | 6/18/2008 | BillPay |                |                 | PAYMENT FOR TRANS 419007                  |          |                    |
| 419007  | 6/18/2008 | Bill    | \$2.11         | \$2.11          | postage : 3                               | -\$2.11  | \$149.72           |
| 418335  | 6/17/2008 | BillPay |                |                 | PAYMENT FOR TRANS 418334                  |          |                    |
| 418334  | 6/17/2008 | Bill    | \$10.00        | \$10.00         | Phone Card : 3                            | -\$10.00 | \$149.72           |
| 418077  | 6/17/2008 | Add     |                |                 | MO# 68040235329<br>LB                     | \$20.00  | \$151.83           |
|         |           |         |                |                 |   |          | \$151.83           |
|         |           |         |                |                 |   |          | \$161.83           |

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## Resident Transaction Details

| Receipt | Date      | Type    | Bill Amount | Bill Collect | Comment  | Adjust   | Release Balance |
|---------|-----------|---------|-------------|--------------|--|----------|-----------------|
| 418042  | 6/17/2008 | Add     |             |              | Check# 2146463<br>CC PYMT BN   | \$50.00  | \$141.83        |
| 417395  | 6/12/2008 | BillPay |             |              | PAYMENT FOR TRANS 417394   | -\$10.00 | \$91.83         |
| 417394  | 6/12/2008 | Bill    | \$10.00     | \$10.00      | Phone Card : 3   |          | \$91.83         |
| 417176  | 6/12/2008 | BillPay |             |              | PAYMENT FOR TRANS 417175   | -\$18.55 | \$101.83        |
| 417175  | 6/12/2008 | Bill    | \$18.55     | \$18.55      | Commissary : COMMISSARY 6/12/2008 REF:945                                |          | \$101.83        |
| 415166  | 6/6/2008  | BillPay |             |              | PAYMENT FOR TRANS 415165   | -\$15.00 | \$120.38        |
| 415165  | 6/6/2008  | Bill    | \$15.00     | \$15.00      | Doctor Visit : 3   |          | \$120.38        |
| 414752  | 6/5/2008  | BillPay |             |              | PAYMENT FOR TRANS 414751   | -\$52.67 | \$135.38        |
| 414751  | 6/5/2008  | Bill    | \$52.67     | \$52.67      | Commissary : COMMISSARY 6/5/2008 REF:930                                 | -\$10.00 | \$188.05        |
| 414335  | 6/5/2008  | BillPay |             |              | PAYMENT FOR TRANS 414334   |          | \$188.05        |
| 414334  | 6/5/2008  | Bill    | \$10.00     | \$10.00      | Phone Card : 3   | -\$24.78 | \$198.05        |
| 413042  | 6/3/2008  | BillPay |             |              | PAYMENT FOR TRANS 403634 TO Over the Counter Drugs :<br>3 : PAID IN FULL | -\$24.74 | \$198.05        |
| 413041  | 6/3/2008  | BillPay |             |              | PAYMENT FOR TRANS 396917 TO Over the Counter Drugs :<br>3 : PAID IN FULL | -\$2.66  | \$198.05        |
| 413040  | 6/3/2008  | BillPay |             |              | PAYMENT FOR TRANS 382174 TO Over the Counter Drugs :<br>3 : PAID IN FULL |          | \$198.05        |
| 413039  | 6/3/2008  | Add     |             |              | MO# 3045894<br>FN  | \$250.00 | \$198.05        |
| 412032  | 5/29/2008 | BillPay |             |              | PAYMENT FOR TRANS 412031   | -\$5.02  | -\$51.95        |
| 412031  | 5/29/2008 | Bill    | \$5.02      | \$5.02       | Commissary : COMMISSARY 5/29/2008 REF:919                                |          | -\$51.95        |
| 409959  | 5/22/2008 | BillPay |             |              | PAYMENT FOR TRANS 409958   | -\$19.87 | -\$46.93        |
| 409958  | 5/22/2008 | Bill    | \$19.87     | \$19.87      | Commissary : COMMISSARY 5/22/2008 REF:917                                |          | -\$46.93        |
| 408589  | 5/19/2008 | BillPay |             |              | PAYMENT FOR TRANS 382174 TO Over the Counter Drugs : 3                   | -\$25.00 | -\$27.06        |
| 408588  | 5/19/2008 | Add     |             |              | Check# 2070922   | \$50.00  | -\$27.06        |

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## Resident Transaction Details

| Receipt | Date      | Type    | Bill Amount | Bill Collect | Comment   | Adjust   | Release Balance |
|---------|-----------|---------|-------------|--------------|---|----------|-----------------|
| 407765  | 5/15/2008 | BillPay |             |              | CC PYMT BN  |          |                 |
| 407764  | 5/15/2008 | Bill    | \$0.10      | \$0.10       | PAYMENT FOR TRANS 407764  | -\$0.10  | -\$77.06        |
| 403635  | 5/2/2008  | BillPay |             |              | Commissary : COMMISSARY 5/15/2008 REF:913                             |          | -\$77.06        |
| 403634  | 5/2/2008  | Bill    | \$25.00     | \$25.00      | PAYMENT FOR TRANS 403634  | -\$0.22  | -\$76.96        |
| 403206  | 5/1/2008  | BillPay |             |              | Over the Counter Drugs : 3  |          | -\$76.96        |
| 403205  | 5/1/2008  | Bill    | \$27.31     | \$27.31      | PAYMENT FOR TRANS 403205  | -\$27.31 | -\$51.96        |
| 401883  | 4/29/2008 | BillPay |             |              | Commissary : COMMISSARY 5/1/2008 REF:905                              |          | -\$51.96        |
| 401882  | 4/29/2008 | Bill    | \$10.00     | \$10.00      | PAYMENT FOR TRANS 401882  | -\$10.00 | -\$24.65        |
| 400295  | 4/24/2008 | BillPay |             |              | Phone Card : 3  |          | -\$24.65        |
| 400294  | 4/24/2008 | BillPay |             |              | PAYMENT FOR TRANS 382174 TO Over the Counter Drugs : 3                | -\$2.30  | -\$14.65        |
| 400293  | 4/24/2008 | BillPay |             |              | PAYMENT FOR TRANS 372083 TO Over the Counter Drugs : 3 : PAID IN FULL | -\$29.93 | -\$14.65        |
| 400292  | 4/24/2008 | BillPay |             |              | PAYMENT FOR TRANS 363827 TO Over the Counter Drugs : 3 : PAID IN FULL | -\$4.26  | -\$14.65        |
| 400291  | 4/24/2008 | Add     |             |              | PAYMENT FOR TRANS 363807 TO Over the Counter Drugs : 3 : PAID IN FULL | -\$1.01  | -\$14.65        |
| 396918  | 4/15/2008 | BillPay |             |              | Check# 2007624  | \$75.00  | -\$14.65        |
| 396917  | 4/15/2008 | Bill    | \$25.00     | \$25.00      | CC PYMT BN  |          | -\$89.65        |
| 391007  | 3/27/2008 | BillPay |             |              | PAYMENT FOR TRANS 396917  | -\$0.26  | -\$89.65        |
| 391006  | 3/27/2008 | Bill    | \$13.33     | \$13.33      | Over the Counter Drugs : 3  | -\$13.33 | -\$64.65        |
| 388650  | 3/20/2008 | BillPay |             |              | PAYMENT FOR TRANS 391006  |          | -\$64.65        |
| 388649  | 3/20/2008 | Bill    | \$10.30     | \$10.30      | Commissary : COMMISSARY 3/27/2008 REF:869                             | -\$10.30 | -\$51.32        |
| 386124  | 3/13/2008 | BillPay |             |              | PAYMENT FOR TRANS 388649  |          | -\$51.32        |
| 386123  | 3/13/2008 | Bill    | \$20.15     | \$20.15      | Commissary : COMMISSARY 3/20/2008 REF:859                             | -\$20.15 | -\$41.02        |
|         |           |         |             |              | PAYMENT FOR TRANS 386123  |          | -\$41.02        |
|         |           |         |             |              | Commissary : COMMISSARY 3/13/2008 REF:849                             |          |                 |

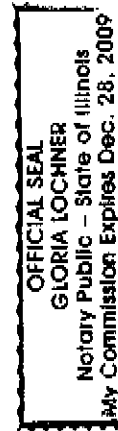
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## Resident Transaction Details

| Receipt | Date      | Type     | Bill<br>Amount | Bill<br>Collect | Comment   | Adjust   | Release<br>Balance |
|---------|-----------|----------|----------------|-----------------|---|----------|--------------------|
| 385291  | 3/12/2008 | BillPay  |                |                 | PAYMENT FOR TRANS 385290  |          |                    |
| 385290  | 3/12/2008 | Bill     | \$3.28         | \$3.28          | postage : 3   | -\$3.28  | -\$20.87           |
| 383286  | 3/6/2008  | BillPay  |                |                 | PAYMENT FOR TRANS 383285  |          |                    |
| 383285  | 3/6/2008  | Bill     | \$2.46         | \$2.46          | postage : SCOTT DREYER ASSIST. UNITED STATES ATTORNEY                 | -\$2.46  | -\$17.59           |
| 383123  | 3/6/2008  | BillPay  |                |                 | PAYMENT FOR TRANS 363807 TO Over the Counter Drugs : 3                | -\$22.51 | -\$15.13           |
| 383122  | 3/6/2008  | BillPay  |                |                 | PAYMENT FOR TRANS 363805 TO Over the Counter Drugs : 3 : PAID IN FULL | -\$27.04 | -\$15.13           |
| 383121  | 3/6/2008  | BillPay  |                |                 | PAYMENT FOR TRANS 360950 TO Doctor Visit : 3 : PAID IN FULL           | -\$0.45  | -\$15.13           |
| 383120  | 3/6/2008  | Add      |                |                 | Check# 1890759<br>CC PYMT BN  | \$100.00 | -\$15.13           |
| 382175  | 3/4/2008  | BillPay  |                |                 | PAYMENT FOR TRANS 382174  |          |                    |
| 382174  | 3/4/2008  | Bill     | \$30.00        | \$30.00         | Over the Counter Drugs : 3  | -\$0.04  | -\$115.13          |
| 372084  | 2/4/2008  | BillPay  |                |                 | PAYMENT FOR TRANS 372083  |          |                    |
| 372083  | 2/4/2008  | Bill     | \$30.00        | \$30.00         | Over the Counter Drugs : 3  | -\$0.07  | -\$85.13           |
| 371336  | 1/31/2008 | BillPay  |                |                 | PAYMENT FOR TRANS 371335  | -\$6.51  | -\$55.13           |
| 371335  | 1/31/2008 | Bill     | \$6.51         | \$6.51          | Commissary : COMMISSARY 1/31/2008 REF:800                             |          | -\$55.13           |
| 369355  | 1/28/2008 | PayVoid  |                |                 | VOID TRANS 362593   | \$5.92   | -\$48.62           |
| 369354  | 1/28/2008 | BillVoid | \$25.00        | \$5.92          | VOID TRANS 362592 : VOID PER NURSE                                    |          | -\$48.62           |



*Gloria Lochner*



NELSON, Michael  
Docket No. 06 CR 5-1

Information received from Ashworth University, dated June 21, 2007, reflects that as of February 26, 2007, the defendant is enrolled in the psychology program as an active student. However, the defendant completed no lessons and does not currently merit a grade point average. The defendant provided the probation office with copies of transcripts from Ashworth University reflecting the completion of courses. An updated letter received from Ashworth University, dated November 26, 2007, reflects that the defendant's "academic program has progressed beyond the introductory course. The student has earned a final grade of 97% for that course."

With respect to the defendant's military history, the defendant noted that he passed the "ASFAB" test and was enrolled in the Navy's delayed enlistment program (unverified). However, the defendant was discharged before the start of boot camp.

Employment Record

The defendant deferred the undersigned to his written submission regarding his employment history. Tax transcripts were requested from the Internal Revenue Service (IRS) for tax years 2003, 2004, and 2005. The IRS has no record of tax information for these years.

April 19, 2006 to Present (Verified).

The defendant has been detained in federal custody since his arrest in this case. While detained at the MCC, the defendant was reportedly involved in various activities, including service as an instructor for the recreation department.

December 2005 to April 18, 2006 (Unverified).

The defendant tried to start a prison ministry in Orlando, Florida, to assist incarcerated federal inmates in "the areas of rehabilitation, bible study programs (from a Judaism perspective) and educational programs."

The defendant relocated to Atlanta, Georgia, and then to Los Angeles, California. The defendant provided consulting and contract work in the areas of business, finance, legal support, and taxes for entrepreneurs and small businesses. The defendant reported that he did not receive a salary, but paid living expenses from the business income earned, which averaged \$500 to \$1,000 weekly.

January 14, 2005 to December 23, 2005 (Verified).

Information from the Bureau of Prisons reflects that the defendant was in continual federal custody, but transferred to several different facilities during the above time period.

*Group Exhibit 1*

NELSON, Michael  
Docket No. 06 CR 5-1

794 March 2004 to January 2005 (Unverified).

795 The defendant was able to pay for living expenses through the income he earned from Cano  
796 Publishing Company. He estimated his average earnings as approximately \$500 to \$1,000 weekly.

797 From October 1998 to February 9, 2004, the defendant reported that he was incarcerated in the Bureau  
798 of Prisons during the above time period. However, information from the Bureau of Prisons reflects  
799 that he was detained from December 2, 1998, until his release on February 9, 2004.

800 From approximately 1992 to 1998, the defendant was reportedly self-employed, using the company  
801 name of United Corporate Management Corporation. He provided consulting and contract work in  
802 the areas of business, finance, and taxes for entrepreneurs and small businesses (unverified). The  
803 defendant reported that his "business practices" during 1997 led to a federal investigation and his  
804 arrest on October 6, 1998. His average earnings were \$500 to \$1,000 weekly.

805 Information from the defendant's presentence report (Docket No. 98-253-CR-ORL-18B) reflects that  
806 the defendant was a self-employed consultant in Miami, Florida, between 1992 and 1994. Between  
807 1994 and 1996, the defendant operated United Corporate Management Corporation. Beginning in  
808 1996, the defendant was self-employed and operated Nelson, Gilbert, and Manuel, a consultant  
809 management company.

810 Financial Condition: Ability to Pay

811 The defendant completed and signed a declaration of net worth and cash flow statements. The  
812 defendant is single and does not have any dependents. The following assets and debts are held  
813 individually by the defendant.

814 Information listed below as unsecured debts was obtained and verified through the defendant's  
815 Experian credit report dated June 11, 2007.

816 Assets

817 Cash

818 Bank of America Accounts (Note A) \$ 0.00

819 Subtotal: \$ 0.00

820 Total Assets: \$ 0.00

*Group Exhibit 1*

NELSON, Michael  
Docket No. 06 CR 5-1

821 Unsecured Debts

|     |   |                    |
|-----|---|--------------------|
| 822 | U.S. Department of Education (Collection)         | \$ 8,253.00        |
| 823 | State of Maryland (Collection University College) | \$ <u>4,242.00</u> |

|     |                               |              |
|-----|-------------------------------|--------------|
| 824 | <u>Total Unsecured Debts:</u> | \$ 12,495.00 |
|-----|-------------------------------|--------------|

|     |                   |                |
|-----|-------------------|----------------|
| 825 | <u>NET WORTH:</u> | (\$ 12,495.00) |
|-----|-------------------|----------------|

826 Note A: The defendant reported having a personal savings and checking account at Bank of America  
827 in Altamonte Springs, Florida; however, he does not know the balances. As of this writing, the  
828 undersigned has not received any information from the bank to determine the balances in the two  
829 accounts.

830 Analysis

831 In addition to the above financial information, the defendant reported that he owes \$774 to Ashworth  
832 University in Norcross, Georgia, and that the monthly payment due is \$39. This debt is not reflected  
833 on the defendant's credit history report.

834 The defendant has a reported negative net worth of \$12,495. The defendant reported no income and,  
835 due to his detention, he has no living expenses. Mandatory restitution in the total amount of  
836 \$721,507.06 is owed. The defendant does not appear to have the ability to make a lump-sum payment  
837 towards restitution. However, the defendant is facing a period of incarceration and could contribute  
838 towards a fine while incarcerated, through the Inmate Financial Responsibility Program, and continue  
839 thereafter while on supervised release. Due to the amount of restitution owed in this case, the  
840 defendant does not appear to have the ability to pay a fine.

841 **PART D. SENTENCING OPTIONS**

842 Custody

843 **Statutory Provisions:** The maximum term of imprisonment on each of Counts One through Five is  
844 30 years, pursuant to 18 U.S.C. §1344.

845 **Guideline Provisions:** Based on a total offense level of 31 and a criminal history category of V, the  
846 guideline range for imprisonment is 168 to 210 months.

*Group Exhibit 1*

NELSON, Michael  
Docket No. 06 CR 5-1

901 PART E. FACTORS THAT MAY WARRANT DEPARTURE

902 The probation officer has no information concerning the offense or the offender which would warrant  
903 a departure from the prescribed sentencing guidelines.

904 Respectfully submitted,  
905 Richard L. Tracy  
906 Chief U. S. Probation Officer

907 by Kelly Kwong (ejt)  
908 Kelly Kwong  
909 U. S. Probation Officer

910 Approved:

911 E.J. Tolle  
912 E.J. Tolle  
913 Supervising U. S. Probation Officer

914 KK:kk

915 Attachments: Government's Version  
916 (Including Victim Impact Statement & Attachments)  
917 Defendant's Version

Group Exhibit 1

PLEASE SERVE THE FOLLOWING DEFENDANTS AT THE FOLLOWING ADDRESSES:

HARRIS TRUST AND SAVINGS BANK, N.A.; 111 WEST MONROE; CHICAGO,  
ILLINOIS, 60603

DAVID J. CRAWFORD; 111 WEST MONROE; CHICAGO, ILLINOIS, 60603

MARY BIRON; 111 WEST MONROE, ILL; CHICAGO, ILLINOIS, 60603

HORACIO J. ISAIS; 111 WEST MONROE; CHICAGO, ILLINOIS, 60603

GLORIA BATES; 2903 SOUTH CILERO AVENUE; CILERO, ILLINOIS, 60804

BRANCH MANAGER AT HARRIS TRUST AND SAVINGS BANK CILERO, N.A.; 2903  
SOUTH CILERO AVENUE; CILERO, ILLINOIS, 60804

UNKNOWN OWNERS & SHAREHOLDERS OF HARRIS TRUST AND SAVINGS BANK, N.A.;  
111 WEST MONROE; CHICAGO, ILLINOIS, 60603

THANK YOU